

Message Text

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ACTION EB-07

INFO OCT-01 AF-10 ARA-10 EUR-12 EA-07 NEA-10 IO-13
ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 AGRE-00
CEA-01 CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 EPG-02
AID-05 SS-15 STR-04 ITC-01 TRSE-00 PRS-01 SP-02
FEAE-00 OMB-01 /131 W
-----124238 291156Z /53

O R 290937Z JUN 77

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 8690

AMEMBASSY PARIS IMMEDIATE

AMEMBASSY TOKYO IMMEDIATE

INFO ALL OECD CAPS PRIORITY

AMEMBASSY BOGOTA

AMEMBASSY CARACAS

AMEMBASSY LAGOS

AMEMBASSY MEXICO

AMEMBASSY TEHRAN

USMISSION USUN NEW YORK

C O N F I D E N T I A L GENEVA 5277

EB/BOEKER; L/HANSEL; IO/FRANK

WHITE HOUSE FOR HENRY OWEN; TREASURY FOR MUNK AND HUFBAUER

USOECN: USEEC

EO 11652: GDS

TAGS: ECOSOC EINV EGEN UN

SUBJ: ECOSOC WORKING GROUP ON CORRUPT PRACTICES

1. UNDER FIRM HAND OF CHAIRMAN PARSI (IRAN) WORKING GROUP
IS WORKING WAY THROUGH TEXT OF INTERNATIONAL AGREE-
MENT ON ILLICIT PAYMENTS WITH A VIEW TO SUBSTITUTING A
CLEAN TEXT WITH MINIMUM BRACKETS TO ECOSOC TOGETHER WITH
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RECOMMENDATION AS TO FUTURE WORK ON THIS MATTER. WORKING
GROUP HAS AGREED (SUBJECT TO RESERVATIONS E.G., MEXICO)
TO TRANSFER "OTHER CORRUPT PRACTICES" FROM CONTEXT OF AN
AGREEMENT TO SECTION ON OTHER MEASURES BUT WE FACE
MAJOR PROBLEMS WITH AFRICANS WHO INSIST THAT AGREEMENT
PROHIBIT PAYMENTS OF TAXES AND ROYALTIES TO RHODESIA
AND SOUTH AFRICA FOR NAIMBIA AS WELL AS BRIBERY.

2. WORKING GROUP EXPECTS TO WIND UP FRIDAY. USDEL IS CIRCULATING INFORMALLY DRAFT RECOMMENDATION TO ECOSOC "TO ESTABLISH APPROPRIATE MACHINERY INCLUDING CONVENING OF A DIPLOMATIC CONFERENCE AT EARLIEST POSSIBLE DATE, TO DRAFT AN INTERNATIONAL AGREEMENT TO PREVENT AND ELIMINATE ILLICIT PAYMENTS IN CONNECTION WITH INTERNATIONAL COMMERCIAL TRANSACTIONS".

3. INITIAL RESPONSE FROM OECD DELS IS ENCOURAGING ON UNDERSTANDING US WILL BE FLEXIBLE ON 178 DATE, BUT FRANCE IS ADAMANT IT CANNOT GO BEYOND TEXT OF OECD COMMUNIQUE WHICH DOES NOT MENTION DIPLOMATIC CONFERENCE. JAPAN IS TAKING SAME LINE AND WE EXPECT AUSTRALIA TO DO THE SAME.

4. FOR PARIS: IT IS CLEAR THAT ONLY VERY HIGH LEVEL REPRESENTATIONS HAVE ANY CHANCE OF MOVING FRENCH IN WORKING GROUP OR AT ECOSOC. WHILE IT SEEMS DOUBTFUL WE CAN GAIN SUPPORT, IT MAY BE USEFUL TO INSURE THAT GOF DOES NOT BLOCK CONSENSUS IN EITHER BODY.

5. FOR TOKYO: GOJ POSITION IS CRITICAL AS IT IS ONLY DEVELOPED COUNTRY OTHER THAN US PARTICIPATING AS MEMBER OF WORKING GROUP. ALL OTHER OECD COUNTRIES
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ARE "OBSERVERS". IT COULD BE EXTREMELY HELPFUL IF EMBASSY COULD APPROACH GOJ AT HIGH LEVEL ASAP TO SEEK SUPPORT FOR US PROPOSAL FOR DIPLOMATIC CONFERENCE AND TO ENSURE THAT GOJ WILL NOT BLOCK CONSENSUS IN WORKING GROUP IF WE CAN OBTAIN G-77 SUPPORT FOR RECOMMENDATION. BELIEVE IT APPROPRIATE TO REMIND GOJ OF PRESIDENT CARTER'S STRONG INTEREST AND TO INDICATE THAT WE REGARD DECISION BY ECOSOC TO CONVENE DIPLOMATIC CONFERENCE AT EARLY DATE AS GUTS OF US INITIATIVE. THEREFORE WE VIEW POSITION ON THIS SPECIFIC ISSUE AS DETERMINATIVE OF WHETHER GOVERNMENTS SUPPORT OR DO NOT SUPPORT AN INTERNATIONAL AGREEMENT TO CONTROL BRIBERY.

6. WOULD APPRECIATE ANY FURTHER ADVICE OR INSTRUCTIONS WASHINGTON CAN GIVE TO US OR TO POSTS, INCLUDING, CONFIRMATION, THAT US PREPARED TO CONSIDER DIPLOMATIC CONFERENCE IN 1979 AS LONG AS THERE IS FIRM DECISION TO MOVE AHEAD ON AGREEMENT AT FIXED DATE. WE ALSO NEED ALTERNATIVE LANGUAGE FOR DRAFT ECOSOC RESOLUTION CONVENING DIPLOMATIC CONFERENCE (OF PLENIPOTENTIARIES) AND NECESSARY PREPARATORY CONFERENCES IF IT PROVES INAPPROPRIATE TO EXTEND WORKING GROUP. SORENSON

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